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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,757	10/01/2001	John S. Hendricks	SEDN/3698D8	7416
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WALL & TONG, LLP/ SEDNA PATENT SERVICES, LLC 595 SHREWSBURY AVENUE SUITE 100 SHREWSBURY, NJ 07702			SHELEHEDA, JAMES R	
ART UNIT		PAPER NUMBER		2424
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/966,757	HENDRICKS, JOHN S.	
	<b>Examiner</b>	<b>Art Unit</b>	
	JAMES SHELEHEDA	2424	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 18 March 2009.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-16 and 18-24 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-16 and 18-24 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/18/09 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-16 and 18-24 have been considered but are moot in view of the new ground(s) of rejection.

Regarding applicant's traversal of the Official Notice taken for claim 14, it is noted that applicant was already directed to Strubbe (5,047,867) (of record) in the office action mailed 06/18/08 for the teaching of this feature.

Furthermore, applicant is further directed to Emanuel (5,161,019), which discloses a program guide menu consisting of a scaled down video format.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Banker et al. (Banker) (5,477,262) (of record) in view of Strubbe (5,223,924) and Montgomery et al. (Montgomery) (5,387,941).

As to claim 22, while Banker discloses a set top terminal (Fig. 3, 300; column 10, lines 61-63) comprising:

a microprocessor (310) for executing program instructions (column 11, lines 31-36);

a graphic memory (NVM, 314; column 12, lines 1-5);

a graphic generator (on screen control circuit, 306) configured to generate graphics from the graphic memory for display on a television (column 12, lines 1-5 and lines 27-61); and

a control interface for choosing an option from displayed graphics (column 21, lines 34-43) and for effecting the memory location from which graphical information is generated by the graphics generator (column 21, lines 34-43 and column 12, lines 1-5 and lines 27-61),

wherein the terminal is configured to generate an interactive electronic program guide (column 11, lines 21-31) comprising:

a plurality of interactive menus (interactive menus for such features as sleep mode, messages, pay-per-view, VCR timing and STB control; Figs. 8, 10, 12, 16A, 18 and 20; column 21, line 44-column 25, line 27), each corresponding to a level of

interactivity and having one or more interactive menu items for selection (Figs. 8, 10, 12, 16A, 18 and 20; column 21, line 44-column 25, line 27);

    a main menu having one or more main menu items for selection (top menu; Fig. 7A), which main menu items correspond to the interactive menus (corresponding to the submenus; Fig. 7 and 7A; column 21, lines 34-45), wherein the menus are navigated using a control input (column 21, lines 34-43), and wherein the main menu items and the interactive menu items are responsive to selection signals received from the control interface (column 21, lines 34-43); and

    a cursor for navigation of the menus (column 19, line 59-column 20, line 34), wherein the cursor movement corresponds to the selection signals and assists in the selection of one or more menu items (see Fig. 7A and column 20, lines 6-34) and package television programs (plural scheduled programs broadcast to viewers; Figs. 2 and 13A; column 5, lines 49-53, column 18, lines 3-19 and column 21, lines 62-64), he fails to specifically disclose a first decompressor for decompressing a video signal of the compressed packaged television programs and a second decompressor configured to decompress program control information.

    In an analogous art, Strubbe discloses a set top terminal (Fig. 1) which receives a compressed video signal with a program control information signal comprising text and graphics (column 2, lines 50-60) and utilizes a decompressor to decompress the compressed video signal (column 3, lines 44-54) for the typical benefit of reducing the required transmission bandwidth by compressing the video to reduce its size (column 2, lines 50-60).

Additionally, in an analogous art, Montgomery discloses a distribution system for transmitting graphics content over a television network (column 13, lines 38-66, column 14, lines 55-66) which will compress the graphics prior to transmission and decompress the graphics at the receiver (column 13, line 67-column 14, line 32) for the typical benefits of compression, such as reducing the size and required transmission bandwidth of the transmitted graphical content (column 13, line 67-column 14, line 32).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Banker's system to include a first decompressor for decompressing a video signal of the compressed packaged television programs, as taught in combination with Strubbe, for the typical benefit of reducing the required transmission bandwidth by compressing the video to reduce its size.

Additionally, it would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Banker and Strubbe's system to include a second decompressor configured to decompress program control information, as taught in combination with Montgomery, for the typical benefits of compression, such as reducing the size and required transmission bandwidth of the transmitted graphical content.

As to claim 23, Banker, Strubbe and Montgomery disclose wherein the program control information comprises graphical data (column 2, lines 50-60).

5. Claims 8-16 and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Banker in view of Gibson (5,539,871) (of record), Strubbe and Montgomery.

As to claim 8, Banker discloses a set top terminal (Fig. 3, 300; column 10, lines 61-63) comprising:

a microprocessor (310) for executing program instructions (column 11, lines 31-36);

a graphic memory (NVM, 314; column 12, lines 1-5);

a graphic generator (on screen control circuit, 306) configured to generate graphics from the graphic memory for display on a television (column 12, lines 1-5 and lines 27-61); and

a control interface for choosing an option from displayed graphics on the television (column 21, lines 34-43) and for effecting the memory location from which graphical information is generated by the graphics generator (column 21, lines 34-43 and column 12, lines 1-5 and lines 27-61),

wherein the terminal is configured to generate an interactive electronic program guide (column 11, lines 21-31) having an overlay menu that is displayed during the one of the programs (Figs. 7 and 7A; column 12, line 62-column 13, line 13 and column 21, lines 34-43), the overlay menu including interactive features (Fig. 7A), wherein the overlay menu is displayed in response to a signal received from a user input (Figs. 3 and 4; column 16, lines 19-42 and column 19, lines 59-65).

While Banker discloses an overlay menu that is displayed in response to a signal received from the user input (column 19, line 59-column 20, line 5), he fails to specifically disclose wherein the terminal is configured to sense one or more interactive features during a selected program and generating a logo that is displayed on the television screen, which program has one or more interactive features, wherein the logo indicates to a user that the interactive features are available

a first decompressor for decompressing a video signal of the compressed packaged television programs and a second decompressor configured to decompress program control information.

In an analogous art, Gibson discloses a system wherein an interactive menu system for display on a television in conjunction with television programming (column 2, lines 10-27), wherein

a logo that is displayed on a display during a program having one or more interactive features (column 3, line 65-column 4, line 35 and column 6, lines 1-24), when interactive content is detected within the program (see Fig. 3; column 5, lines 43-67);

a overlay menu that is displayed during the program (displayed list of choices; column 6, lines 51-56), the overlay menu including the interactive features (column 6, lines 53-62),

wherein the logo indicates to a user that the interactive features are available for the program (column 4, lines 7-35 and column 6, lines 1-24), and wherein the overlay menu is displayed in response to a signal received from a user input (column 6, line 38-

56) for the typical benefit of allowing a user to elect to access additional information associated with a multimedia presentation (column 1, lines 39-63).

Also, in an analogous art, Strubbe discloses a set top terminal (Fig. 1) which receives a compressed video signal with a program control information signal comprising text and graphics (column 2, lines 50-60) and utilizes a decompressor to decompress the compressed video signal (column 3, lines 44-54) for the typical benefit of reducing the required transmission bandwidth by compressing the video to reduce its size (column 2, lines 50-60).

Additionally, in an analogous art, Montgomery discloses a distribution system for transmitting graphics content over a television network (column 13, lines 38-66, column 14, lines 55-66) which will compress the graphics prior to transmission and decompress the graphics at the receiver (column 13, line 67-column 14, line 32) for the typical benefits of compression, such as reducing the size and required transmission bandwidth of the transmitted graphical content (column 13, line 67-column 14, line 32).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Banker's system to include wherein the terminal senses one or more interactive features during a selected program and generating a logo that is displayed on the television screen, which program has one or more interactive features, wherein the logo indicates to a user that the interactive features are available for the program, as taught in combination with Gibson, for the typical benefit of providing a user with a means to easily identify and access additional information related to a displayed video presentation.

Also, it would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Banker and Gibson's system to include a first decompressor for decompressing a video signal of the compressed packaged television programs, as taught in combination with Strubbe, for the typical benefit of reducing the required transmission bandwidth by compressing the video to reduce its size.

Additionally, it would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Banker, Gibson and Strubbe's system to include a second decompressor configured to decompress program control information, as taught in combination with Montgomery, for the typical benefits of compression, such as reducing the size and required transmission bandwidth of the transmitted graphical content.

As to claim 9, Banker, Gibson, Strubbe and Montgomery disclose wherein the overlay menu includes menu options for a plurality of interactive features (see Banker at Figs. 7 and 7A and Gibson at column 5, lines 38-54 and column 6, lines 52-56).

As to claim 10, Banker, Gibson, Strubbe and Montgomery disclose wherein the overlay menu further includes a menu option to return to the program without the interactive features (see Banker at Fig. 7A and Gibson at column 6, lines 57-60 and Fig. 6, steps 610, 612 and 616).

As to claim 11, Banker, Gibson, Strubbe and Montgomery disclose a cursor that indicates one of the menu options (see Banker at column 21, lines 34-43 and Gibson at column 6, lines 51-56, column 4, lines 27-35 and column 3, lines 36-39), wherein the cursor is controlled by the control interface (see Banker at column 21, lines 34-43 and Gibson at column 4, lines 27-35 and column 3, lines 36-39).

As to claim 12, Banker, Gibson, Strubbe and Montgomery disclose wherein the interactive features include facts related to the program (see Gibson at column 4, line 65-column 5, line 5).

As to claim 13, Banker, Gibson, Strubbe and Montgomery disclose wherein the guide further comprises a plurality of interactive submenus for use with the interactive features (see Banker at Figs. 7 and 7A and column 21, lines 34-43), wherein the submenus are displayed in response to a selection of the menu options (see Banker at column 21, lines 34-43), the selection being received as at least one of the selection signals from the control interface (see Banker at column 21, lines 34-43).

As to claim 14, while Banker, Gibson, Strubbe and Montgomery discloses displaying a plurality of submenus (see Banker at Fig. 7A), they fail to specifically disclose wherein the submenus are displayed in a video window in a scaled down program video format.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to simultaneously display a reduced version of a menu with a plurality of selections on the same display as video programming, wherein the menu and video programming are each scaled to cover a smaller portion of the overall display to allow both to be fully displayed to the user at the same time, for the typical benefit of allowing a viewer to continue fully viewing a television program while navigating a menu and not miss any of the displayed video program.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Banker, Gibson, Strubbe and Montgomery's system to include wherein the submenus are displayed in a video window in a scaled down program video format for the typical benefit of allowing a viewer to continue viewing a television program while navigating a menu and not miss any of the displayed video program.

As to claim 15, Banker, Gibson, Strubbe and Montgomery disclose wherein the program and one or more of the submenus are displayed on the television at the same time (see Banker at column 12, line 63-column 13, line 13).

As to claim 16, Banker, Gibson, Strubbe and Montgomery disclose wherein the logo is displayed as an overlay menu (overlaid button to select; see Gibson at column 4, lines 7-36).

As to claim 18, Banker, Gibson, Strubbe and Montgomery disclose wherein the overlay menu includes the logo (column 3, line 65-column 4, line 35 and column 6, lines 1-24).

As to claim 19, while Banker, Gibson, Strubbe and Montgomery disclose wherein the overlay menu is generated by the set top terminal (see Banker at column 12, lines 42-61), they fail to specifically disclose using data received during a vertical blanking interval.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize data from a vertical blanking interval, as receiving data during a vertical blanking interval at a set top terminal allows a cable headend or other programming provider to download additional data and information to a user's system, such as interactive information or data updates, for the typical benefit allowing additional and updated information to be received at a user's terminal from a broadcast provider utilizing a television signal.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Banker, Gibson, Strubbe and Montgomery's system to include using data received during a vertical blanking interval for the typical benefit allowing additional and updated information to be received at a user's terminal from a broadcast provider utilizing a television signal.

As to claim 20, Banker, Gibson, Strubbe and Montgomery disclose wherein the logo is displayed in a corner of the screen of the television periodically for a specified duration (Fig. 3B, Fig. 4, step 408; column 5, lines 6-20).

As to claim 21, while Banker, Gibson, Strubbe and Montgomery disclose wherein the logo is displayed for a particular period of time (pertaining to periods of time an object is on the display; see Gibson at column 6, lines 10-18 and column 4, lines 7-26 and lines 45-54), they fail to specifically disclose displaying the logo for 15 seconds during a plurality of ten-minute segments of the program.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to display specific objects in a media presentation for at least 15 seconds during a plurality of ten-minutes segments of the program, such as the main character or object in a television program or movie, for the typical benefit of displaying important information to viewer's during extended periods of time during a program.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Banker, Gibson, Strubbe and Montgomery's system to include displaying the logo for 15 seconds during a plurality of ten-minute segments of the program for the typical benefit of displaying important information to viewer's during extended periods of time during a program.

6. Claims 1-7 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldstein (5,410,326) (of record) in view of Strubbe and Montgomery.

As to claim 1, while Goldstein discloses a set top terminal (column 16, lines 38-45) comprising:

a microprocessor for executing program instructions (Fig. 14; microprocessor unit, 137; column 16, lines 38-45);

a graphic memory (column 33, lines 18-23 and lines 58-62);

a graphic generator to configured generate graphics from the graphic memory (column 17, lines 16-19 and column 34, lines 20-28); and

a control interface for choosing an option from displayed graphics (column 34, lines 20-28) and for effecting the memory location from which graphical information is generated by the graphics generator (column 34, lines 20-37);

wherein the terminal is configured to generate an electronic program guide (column 17, lines 16-19) having a series of menus comprising:

a home menu (master menu; column 34, lines 1-9);

a plurality of major menus displayed as menu options on the home menu (column 34, lines 6-19);

a plurality of sub-menus displayed as menu options on the plurality of major menus (column 34, line 67-column 35, line 59); and

a plurality of during programming menus enacted after selection of a program (additional information icons displayed during a program; column 14, lines 3-20), he fails to specifically disclose a first decompressor for decompressing a video signal of the

compressed packaged television programs and a second decompressor configured to decompress program control information.

In an analogous art, Strubbe discloses a set top terminal (Fig. 1) which receives a compressed video signal with a program control information signal comprising text and graphics (column 2, lines 50-60) and utilizes a decompressor to decompress the compressed video signal (column 3, lines 44-54) for the typical benefit of reducing the required transmission bandwidth by compressing the video to reduce its size (column 2, lines 50-60).

Additionally, in an analogous art, Montgomery discloses a distribution system for transmitting graphics content over a television network (column 13, lines 38-66, column 14, lines 55-66) which will compress the graphics prior to transmission and decompress the graphics at the receiver (column 13, line 67-column 14, line 32) for the typical benefits of compression, such as reducing the size and required transmission bandwidth of the transmitted graphical content (column 13, line 67-column 14, line 32).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Goldstein's system to include a first decompressor for decompressing a video signal of the compressed packaged television programs, as taught in combination with Strubbe, for the typical benefit of reducing the required transmission bandwidth by compressing the video to reduce its size.

Additionally, it would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Goldstein and Strubbe's system to include a second decompressor configured to decompress program control information, as taught

in combination with Montgomery, for the typical benefits of compression, such as reducing the size and required transmission bandwidth of the transmitted graphical content.

As to claim 2, Goldstein, Strubbe and Montgomery disclose an introductory menu that is displayed upon beginning use of the guide (local menu to perform initialization; see Goldstein at column 33, lines 11-34).

As to claim 3, Goldstein, Strubbe and Montgomery disclose wherein the guide is controlled by a set top terminal (television receiver; see Goldstein at column 33, lines 11-33), and wherein the introductory menu automatically appears on the television screen when the set top terminal is turned on (see Goldstein at column 3, lines 11-16).

As to claim 4, Goldstein, Strubbe and Montgomery disclose wherein the introductory menu displays information or messages from an operations center (see Goldstein at column 33, lines 11-68).

As to claim 5, Goldstein, Strubbe and Montgomery disclose wherein the information or messages are directed to a particular subscriber (see Goldstein at column 20, lines 54-63).

As to claim 6, Goldstein, Strubbe and Montgomery disclose wherein the information or messages are directed to a group of subscribers (see Goldstein at column 20, lines 54-63).

As to claim 7, Goldstein, Strubbe and Montgomery disclose wherein the during program menus comprise hidden menus and program overlay menus (comprising overlaid icons and hidden embedded information; see Goldstein at column 14, lines 3-20).

As to claim 24, while Goldstein discloses a method comprising:  
receiving packaged television program and program control information from an operations center (see Goldstein at column 33, lines 11-68, column 35, lines 47-59).  
displaying, based on the program control information, an electronic program guide (column 17, lines 16-19) having a series of menus comprising:  
a home menu (master menu; column 34, lines 1-9);  
a plurality of major menus displayed as menu options on the home menu (column 34, lines 6-19);  
a plurality of sub-menus displayed as menu options on the plurality of major menus (column 34, line 67-column 35, line 59); and  
a plurality of during programming menus enacted after selection of a program (additional information icons displayed during a program; column 14, lines 3-20), and

receiving, from a control interface, a selection of an option displayed on the of the series of menus (column 34, lines 20-28), wherein the selection effects a memory location from which graphical information is retrieved for display on the television (column 34, lines 20-37),

he fails to specifically disclose a first decompressor for decompressing a video signal of the compressed packaged television programs and a second decompressor configured to decompress program control information.

In an analogous art, Strubbe discloses a set top terminal (Fig. 1) which receives a compressed video signal with a program control information signal comprising text and graphics (column 2, lines 50-60) and utilizes a decompressor to decompress the compressed video signal (column 3, lines 44-54) for the typical benefit of reducing the required transmission bandwidth by compressing the video to reduce its size (column 2, lines 50-60).

Additionally, in an analogous art, Montgomery discloses a distribution system for transmitting graphics content over a television network (column 13, lines 38-66, column 14, lines 55-66) which will compress the graphics prior to transmission and decompress the graphics at the receiver (column 13, line 67-column 14, line 32) for the typical benefits of compression, such as reducing the size and required transmission bandwidth of the transmitted graphical content (column 13, line 67-column 14, line 32).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Goldstein's system to include a first decompressor for decompressing a video signal of the compressed packaged television programs, as

taught in combination with Strubbe, for the typical benefit of reducing the required transmission bandwidth by compressing the video to reduce its size.

Additionally, it would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Goldstein and Strubbe's system to include a second decompressor configured to decompress program control information, as taught in combination with Montgomery, for the typical benefits of compression, such as reducing the size and required transmission bandwidth of the transmitted graphical content.

### ***Conclusion***

7. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

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Registration Number: \_\_\_\_\_

Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES SHELEHEDA whose telephone number is (571)272-7357. The examiner can normally be reached on Monday - Friday, 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James Sheleheda/  
Examiner, Art Unit 2424

JS